

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Michele Lacaillade,
Taylor Lacaillade,
and Andrew Lacaillade

v.

Civil No. 10-cv-68-JD

Loignon Champ-Carr, Inc.

PROCEDURAL ORDER

The court held a teleconference with counsel on this date.

The trial is rescheduled for October 25, 2011. A jury will be selected at 9:30 a.m. and the evidence will begin following jury selection.

Counsel will arrange for mediation prior to trial and will continue to discuss the possibility of settlement.

By August 12, 2011, counsel for the defendant will file motions addressing the following issues:

1. whether Maine or New Hampshire law applies to this case;
2. whether a negligence per se claim can be made under Maine and New Hampshire law; and
3. whether the negligence claim is subsumed under the wrongful death claim under Maine and New Hampshire law.

The plaintiff shall respond within the time frame provided by the rules. See LR 7.1(b).

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

July 19, 2011

cc: Andrew Ranks, Esquire
Mark W. Shaughnessy, Esquire
William J. Thompson, Esquire